

ITEM 9-A

CITY OF ALAMEDA

Memorandum

To: Honorable President and
Members of the Planning Board

From: Matthew T. Naclerio
Public Works Director

Date: November 28, 2011

Re: Review of Master Street Tree Plan

BACKGROUND

This staff report provides background into the City's Master Street Tree Plan (MSTP) to respond to the Planning Board's request to more fully understand the noticing requirements in the policy. The MSTP is an overarching policy document that specifies policies for street trees in Alameda. It includes a Tree Removal Policy, Table of Required Distances between City Infrastructure and Trees, Guidelines for the Protection of Important Nesting Habitat, and a Special Planting Zone Map. The MSTP also recommends tree species based on site performance, visual aesthetics, and long-term maintenance.

On September 28, 2009, the Planning Board heard public comment on and provided input and suggested changes to the draft MSTP. The Board continued the item to allow staff an opportunity to consider and address the Board's comments. After meeting with residents, staff presented revisions to the MSTP to the Planning Board on November 9, 2009, and the Board recommended approval of the MSTP to the City Council. On February 16, 2010, the City Council adopted the MSTP.

On September 6, 2011, the City Council awarded a contract to Suarez and Munoz Construction Inc. for the Park Street Streetscape Project (Phase 2), which covers Lincoln Avenue to Webb Avenue and Central Avenue to San Jose Avenue. This project is a continuation of the Park Street Streetscape Master Plan initiated in February 2001. As part of the planning process the City created a Citizens Advisory Group Committee and a Technical Advisory Group Committee. The Citizen-based committee included downtown business owners and operators, Park Street Business Association representatives, and interested residents. The Technical Group included city staff from the Public Works, Planning, Development Services, and Alameda Municipal Power departments, as well as the Mayor's Committee on Disabled Access and the Alameda Architectural Preservation Society. The Master Plan developed for the improvements were led by a private consultant experienced with designing streetscape projects in Northern California. Design of the streetscape project included numerous meetings to elicit input from the community, develop various design alternatives, and select a preferred alternative. The first phase of the Park Street Streetscape project,

from Webb Avenue to Central Avenue (including portions of Santa Clara Avenue) was completed in 2006.

As part of the Phase 2 project, 31 existing street trees were removed from October 19 through October 21, 2011. The public was angered by the removal of the trees and the lack of noticing. Several speakers attended the October 24, 2011 Planning Board meeting to voice their concern. As a result, the Planning Board requested that a review of the MSTP be placed on its next available agenda so that policy changes can be recommended to the City Council to address the Park Street tree removal incident and ensure that appropriate public notification is provided for future tree removals. The City also held a community meeting on November 9, where approximately 70 members of the public attended to express their outrage and frustration at the decision to remove the trees and the lack of public notification and posting of the trees prior to their removal.

DISCUSSION

The MSTP is a community based master plan document related to street trees in Alameda. The adoption process included seven public meetings throughout the City to elicit input from the community. The Plan includes a Tree Removal Policy (Attachment 1) that identifies when it is appropriate to remove a tree, when posting of the removal is and is not required, and when a removal is and is not appealable.

According to the plan, public posting for tree removals is not required or appealable for the following:

- The tree is dead or presents an imminent threat to public safety as determined by a certified Arborist
- The tree is determined by a certified Arborist to be infected with a rapidly spreading pathogen, such as Dutch Elm disease, that poses an immediate hazard to other trees

In addition, the following is currently exempt from the tree removal policy and is non-appealable:

- Streetscape and other projects that have already received public input and City Council approval for tree removal

Although the Public Works Department followed the procedures established in the MSTP, the public review for the project occurred several years ago and a new public meeting should have been held. A community meeting would have allowed staff to present the details of the project to the public, determined if there were community support for the removal of the trees as a continuation of the vision for Park Street, and identified modifications to the plan that would have resulted in broad public support.

To avoid a repeat occurrence, staff recommends modifying the Tree Removal Policy contained in the MSTP to require the Planning Board to review any capital improvement

project that will remove more than 5% of the street trees in any given block face (one side of a City street block) prior to approval by the City Council. In addition, the MSTP has been revised to explicitly state that during the design phase of a project, all practical and reasonable alternatives are to be considered before identifying a tree for removal.

Also, to ensure the public is informed throughout the process, the proposed revisions also require these capital improvement projects to post a public notice on all trees and on the City's web site for both the Planning Board and City Council meetings and three weeks prior to any removal. The City Council's approval to remove any tree(s) is final, provided the project commences within two years of the City Council approval. This is the standard effective approval period for planning projects. Furthermore, should construction of the project occur after one year of the City Council approval, an informational community meeting is to be held prior to commencement of the project. Projects which remove less than 5% of the street trees on any given block face will follow the existing notification and appeal process (Section E of Attachment 1).

Additional recommended modifications include the following minimum posting requirements: one day for trees that are dead and present an imminent threat to public safety, as determined by a certified Arborist (currently no posting is required); three days for trees that are dead but do not pose an imminent threat to public safety, as determined by a certified Arborist (currently no posting is required), and three days for trees that are diseased with a rapidly spreading pathogen that pose a hazard to other trees, as determined by a certified Arborist (currently no posting is required). The only time a tree will not be subject to the posting requirement is when it is significantly damaged and its immediate removal is required for the safety of the general public. In addition, because of safety concerns associated with dead or diseased trees, these tree removals, which are not appealable in the current MSTP, are proposed to remain non-appealable. Please refer to Attachment 2 for the proposed revisions to the Tree Removal Policy.

RECOMMENDATION

Modify the Tree Removal Policy contained in the MSTP to require the Planning Board to review any capital improvement project that will remove more than 5% of the street trees in any given block face prior to approval by the City Council.

Respectfully submitted,

Matthew T. Naclerio
Public Works Director

Attachments:

1. MSTP, Exhibit 1/ Tree Removal Policy: pages 108-111
2. Proposed Revisions to Tree Removal Policy